

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 1:12-cr-0201-JMS-MJD
	)	
CHRISTOPHER COATES,	)	- 01
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

On May 10, 2019 and June 11, 2019, the Court held hearings on the Petition for Warrant or Summons for Offender Under Supervision filed on March 4, 2019. Defendant Coates appeared in person with his appointed counsel, Dominic Martin. The government appeared by Nick Linder, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Ryan Sharp.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Coates of his rights and provided him with a copy of the petition. Defendant Coates orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Coates admitted violation number 2. [Docket No. 54.] Government moved to dismiss violation number 1 and the same granted.
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation  
Number**

**Nature of Noncompliance**

- 2            **“The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.”**

On June 26, 2018, Mr. Coates tested positive for opiates and admitted to heroin use. He completed a detox program and has since participated in substance abuse counseling and medicated assisted treatment (Suboxone). There were no further issues with heroin. However, on September 18, 2018, he tested positive for cocaine. His subsequent drug screen on October 2 2018, was negative for illicit drug use. On October 11, 2018, he tested positive for marijuana. He admitted to the cocaine and marijuana use and received sanctions through the REACH program. He was referred to Moral Reconciliation Therapy which he was attending regularly until his arrest (allegation #1 of this petition).

On February 26, 2019, after his MRT group, he tested positive for amphetamine and marijuana. He attempted to conceal this by bringing into the courthouse a bag of urine hooked to tubing. He was caught attempting to put urine from the bag into the collection container. After he was caught, he admitted to smoking synthetic marijuana which he believed was laced with "speed." He didn't like how it felt so he admitted to smoking marijuana to counteract the speed.

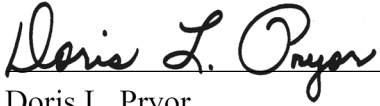
4.        The parties stipulated that:
- (a)       The highest grade of violation is a Grade B violation.
  - (b)       Defendant's criminal history category is V.
  - (c)       The range of imprisonment applicable upon revocation of supervised release, therefore, is 18 to 24 months' imprisonment.
5.        The parties jointly recommended a sentence of fifteen months with no supervised release to follow. Defendant requested placement at FCI Milan.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the

Attorney General or his designee for a period of fifteen (15) months with no supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at FCI Milan.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties waived the fourteen-day period to object to the Report and Recommendation.

Date: 6/27/2019

  
Doris L. Pryor  
United States Magistrate Judge  
Southern District of Indiana

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